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PTO/SB/21 (08-04)

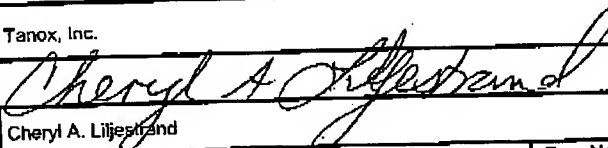
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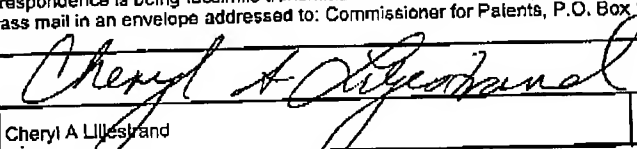
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/583,927
	Filing Date	23 Dec 2004
	First Named Inventor	FUNG, Sek Chung
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	Case 1060 US
Total Number of Pages in This Submission		5

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See remarks.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks 1. Copy of Notice of Defective Response to Missing Parts (2 pages);		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Tanox, Inc.		
Signature			
Printed name	Cheryl A. Liljestrand		
Date	September 25, 2007	Reg. No.	45,275

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			Date
Typed or printed name	Cheryl A Liljestrand	September 25, 2007	

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 25 2007

PATENT
ATTORNEY DOCKET NO.: Case1050
CUSTOMER NO: 26839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:
FUNG, Sek Chung et al.

Application No.: 10/583,927

International PCT Filing Date: Dec 23, 2004

For: Novel Anti-IL13 Antibodies and Uses
Thereof

Group Art Unit: TO BE ASSIGNED

Examiner: TO BE ASSIGNED

Commissioner for Patents
Alexandria, VA 22313**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE TO NOTICE OF
MISSING REQUIREMENTS UNDER 35 U.S.C. §371**

In response to the Notification of Defective Response, Applicants hereby request reconsideration.

Inventor #1 "Michael" Sek Chung FUNG (Michael S.C. FUNG) is the same as the inventor listed on the PCT filing. Inventor #3 Melshung "Mason" Lu is also the same as the inventor on the PCT filing. The problem occurred due to their legal names vs. names the scientists go by in the United States. The undersigned states that these two inventors are the same inventors listed in the PCT filing.

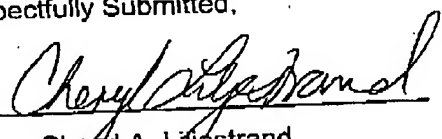
In response to the requirement for a CRF, Applicants filed a CRF with the PCT application in the US Receiving Office. Applicants hereby request that the CRF filed with the PCT be used for the present §371 Application. Applicants hereby state that the CRF filed on Dec 23, 2004 is identical to the paper Sequence Listing filed on June 22, 2006 with the present application.

In view of the foregoing remarks, Applicants submit that the previous response filed on June 8, 2007 was not defective and therefore no fee is due. If it is determined that a fee is due, Applicants extend the period for response to October 9, 2007 for the Notice of Missing Parts under 37 CFR 1.136(a). Please charge the fee for the four month extension to our deposit account No. 20-0087.

Respectfully Submitted,

Dated: September 25, 2007

BY:


Cheryl A. Lilestrand
Reg. No. 45,275

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/583,927	Sek Chung Fung	Case 1050 US

INTERNATIONAL APPLICATION NO.

PCT/US04/43501

I.A. FILING DATE	PRIORITY DATE
12/23/2004	12/23/2003

26839
TANOX, INC.
10301 STELLA LINK
HOUSTON, TX 77025

CONFIRMATION NO. 4825

371 FORMALITIES LETTER

OC000000025472919

Date Mailed: 08/21/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/22/2006
- Copy of the International Search Report filed on 12/21/2006
- Copy of IPE Report filed on 08/21/2006
- Preliminary Amendments filed on 06/22/2006
- Oath or Declaration filed on 06/08/2007
- Biochemical Sequence Listing filed on 06/08/2007
- Request for Immediate Examination filed on 06/22/2006
- U.S. Basic National Fees filed on 06/22/2006
- Priority Documents filed on 06/22/2006
- Specification filed on 06/22/2006
- Claims filed on 06/22/2006
- Abstracts filed on 06/22/2006
- Drawings filed on 06/22/2006
- Paper nucleotide sequence listings filed on 06/22/2006

Applicant's response filed 06/08/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/09/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The first and third inventors' first names are different compared to the published International Application.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/583,927	PCT/US04/43501	Case 1050 US

FORM PCT/DO/EO/916 (371 Formalities Notice)